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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

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| GARY DALE HINES, | No. 2:98-cv-0784-TLN-EFB DP |
| Petitioner, | |
| v. | <u>ORDER</u> |
| RONALD DAVIS, | |
| Respondent. | |

Petitioner is a state death-row prisoner seeking a writ of habeas corpus under 28 U.S.C. § 2254. Petitioner’s claims concerning the guilt phase of his criminal trial have been by way of summary judgment. ECF Nos. 211, 287. Remaining for determination are petitioner’s claims concerning the penalty phase. ECF No. 311.


The court has denied, without prejudice, petitioner’s motion to expand the record, and the district judge has ordered respondent to file a motion for summary judgment on all remaining claims. ECF No. 338. The case has been referred back to the undersigned to set a briefing schedule for the motion. *Id.*

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1 Respondent shall file the motion for summary judgment on all remaining issues on or
2 before June 4, 2018. Petitioner's opposition shall be filed on or before September 3, 2018.
3 Respondent's reply shall be filed on or before October 15, 2018.

4 So ordered.

5 DATED: March 14, 2018.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE